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Attorneys for HARRAH'S ENTERTAINMENT, INC. and *Specially Appearing* Defendants  
HARRAH'S OPERATING COMPANY, INC. and HARRAH'S MARKETING SERVICES  
CORPORATION.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JAMES M. KINDER,  
Plaintiff,

vs.

HARRAH'S ENTERTAINMENT, INC.;  
HARRAH'S OPERATING COMPANY, INC.;  
HARRAH'S MARKETING SERVICES  
CORPORATION; HARRAH'S LICENSE  
COMPANY, LLC; HARRAH'S LAUGHLIN,  
INC.; HBR REALTY COMPANY, INC. and  
DOES 1 through 100, inclusive,

Defendants.

CASE NO. 07-CV-2132-DMS (AJB)  
[Consolidated with 07 CV 2226 DMS (POR)]

Judge: Hon. Dana M. Sabraw  
Mag. Judge: Hon. Anthony J. Battaglia

DECLARATION OF MICHAEL E.  
KOSTRINSKY IN SUPPORT OF  
*SPECIALLY APPEARING* DEFENDANTS'  
MOTION TO DISMISS PURSUANT TO  
F.R.CIV.P. RULE 12(b)(2), (6)

ACCOMPANYING DOCUMENTS:  
NOTICE OF MOTION AND MOTION;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF  
MARIA C. ROBERTS; NOTICE OF  
LODGMET OF EXHIBITS; [PROPOSED]  
ORDER

Date: April 18, 2008  
Time: 1:30 a.m.  
Courtroom: 13

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1 I, Michael E. Kostrinsky, declare:

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3 1. I am the Chief Litigation Officer for Harrah's Operating Company, Inc. As such, I  
4 have personal knowledge of Harrah's Operating Company, Inc.; its holdings, and those of its  
5 affiliates and Harrah's Entertainment, Inc. I make this declaration based on that knowledge.

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7 2. *Specially Appearing* Defendant Harrah's Entertainment, Inc. is a Delaware  
8 corporation, headquartered in Las Vegas, Nevada. It does not have offices in California; does not  
9 own property in California; does not have employees in California; and, does not conduct business  
10 in California. *Specially Appearing* Defendant Harrah's Entertainment, Inc. does not make  
11 telemarketing or other telephone calls to individuals in California using an automatic telephone  
12 dialing system, artificial or prerecorded voice, or otherwise.

13  
14 3. Harrah's Operating Company, Inc. is a Delaware corporation and is not  
15 headquartered in California. It does not have offices in California; does not own property in  
16 California; does not have employees in California; and, does not conduct business in California.  
17 Harrah's Marketing Services Corporation is a foreign corporation; is not headquartered in  
18 California; and does not own property in California. Harrah's License Company, LLC is a foreign  
19 company and is not headquartered in California. It does not have offices in California; does not  
20 own property in California; does not have employees in California; and, does not conduct business  
21 in California. Harrah's Laughlin, Inc. is a foreign corporation and is not headquartered in  
22 California. It does not have offices in California; does not own property in California; does not  
23 have employees in California; and, does not conduct business in California. And, HBR Realty  
24 Company, Inc. is a foreign corporation and is not headquartered in California. It does not have  
25 offices in California; does not own property in California; does not have employees in California;  
26 and, does not conduct business in California.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct. Executed this 11 day of January 2008, at Las Vegas, Nevada.

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5 Michael E. Kostrinsky  
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